

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KYLE PETERSEN,

Case No. 1:20-cv-00884-DAD-EPG (PS)

Plaintiff,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

V.

(ECF NO. 24)

ANTHONY SIMS, JR.,

Defendants.

Plaintiff Kyle Petersen is a federal inmate proceeding *pro se* and *in forma pauperis* in civil rights action filed pursuant to *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971). In the July 7, 2021 screening order, the Court concluded that Plaintiff stated a plausible Fourth Amendment claim against Defendant Anthony Sims, Jr. (ECF No. 23). Accordingly, the Court ordered the Clerk to send, and for Plaintiff to return within 30 days of service of the order, certain completed documents necessary to achieve service. (*Id.* at 6). The Court warned Plaintiff that “[f]ailure to comply with this order may result in the dismissal of this action.” (*Id.* at 7).

After more than 30 days passed with Plaintiff failing to submit the required documents or otherwise respond to the Court's order, the Court issued a show cause order on August 17,

1 2021, requiring Plaintiff to indicate in writing whether he intended to pursue this action and
2 explaining his failure to submit service documents by the required date, or, alternatively,
3 requiring Plaintiff to submit the required documents. (ECF No. 24). Plaintiff has since
4 submitted the required service documents. (ECF No. 25).

5 Accordingly, IT IS ORDERED that:

6 1. The Court's order to show cause entered on August 17, 2021, (ECF No. 24), is
7 DISCHARGED; and

8 2. The Court will issue a separate order regarding service in this case by the United
9 States Marshals Service.

10 IT IS SO ORDERED.
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12 Dated: September 8, 2021

13 /s/ *Evan P. Gruj*
14 UNITED STATES MAGISTRATE JUDGE

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